

# Kentucky



# Gazette.

THREE DOLLARS PER ANNUM.

NEW SERIES—No. 3.—VOL. 2.

True to his charge—he comes, the Herald of a noisy world; News from all nations, lumbering at his back.

LEXINGTON, KY. THURSDAY MORNING FEBRUARY 24, 1825.

IN ADVANCE

[Vol. XX. XI.]

## By the President of the United States

IN pursuance of law, I, JAMES MONROE, President of the United States, do hereby publish and make known that a public sale will be held at Land Office for the District of Salt River, in the state of Missouri, on the third Monday in May next, for the disposal of such lands, now situated within the limits of said District, sold at the Land Office at St. Louis, Mo., which were relinquished to the United States prior to the 1st day of October, 1821, under the provisions of the act of Congress, approved on the 2d day of March 1821, entitled "An act for the relief of the purchasers of public lands prior to the 1st day of July, 1810," which said lands are situated within the following described townships, viz:

West of the 4th principal meridian.  
Townships 49, 50, 51, 52, & 53, of range 1  
" 49, 50, 51, 52, 53, & 54, of " 2  
" 49, 50, 51, 52, 53, & 54, of " 3  
" 49, 50, 51, 52, 53, & 54, of " 4  
" 49, 50, 51, 52, 53, & 54, of " 5  
" 49, 50, 51, 52, 53, & 54, of " 6  
" 49, 50, 51, 52, 53, & 54, of " 7  
" 49, 50, 51, 52, 53, & 54, of " 8  
" 49, 50, 51, 52, 53, & 54, of " 9  
" 49, 50, 51, 52, 53, & 54, of " 10

The sale to commence with the lowest number of section, township, and range, and to be continued in regular numerical order.

Given under my hand, at the City of Washington, this day of January, A. D. 1825.

JAMES MONROE.

By the President  
GEORGE GRAHAM,  
Commissioner of the General Land Office.  
Printers of the laws of the United States in Missouri and Kentucky are authorized to publish the foregoing proclamation once a week until the day of sale.  
Feb. 17, 1825—7-13t

## General Assembly.

### REPORT

Of a Committee of the General Assembly of Kentucky, in relation to the decision of the Court of Appeals upon the Replevin Laws, &c.

(Concluded.)

But if it be conceded, as it must be, that neither the constitution of the state, nor of the U. States, furnishes any execution law, and consequently that it is not less the right, than the duty of the legislature, to furnish those laws, it must be admitted also, that the enactment of a system of execution laws, involves that exercise of legislative discretion—necessarily involves that exercise; for it is essentially matter of discretion, what shall be a reasonable time within which to levy and return an execution. A general rule upon this subject must be inferred from a comprehensive survey of the condition of society, and of all the causes, moral, political and physical, which may essentially affect that condition. But whatever is essentially and intrinsically matter of discretion, must abide the award of the power to which its ascertainment or decision is confided; and the enactment of the execution laws, having, by the constitution, and the nature and fitness of things been confided to the legislative department, and having been arranged, settled and ordained by their discretion, must continue to be the rule of action, until altered by the same power. For whatever is incapable of being subjected to any fixed rule of ascertainment, must necessarily, if it be settled at all, be settled by the exercise of discretion, and result in opinion; and the opinion of the judges, if they had the right to form one, however different it might be, could not, according to their own well established doctrine, reverse that of the legislature. It is on this principle that all enlightened judges refuse to grant new trials, in actions of tort—actions in which what ought to be the amount of the verdict, is essentially matter of opinion with the jury. The opinion of the court, that the verdict of the jury is for too much or too little, will not authorize its vacation or reversal; and simply, for the reason that what its amount ought to have been, was in its nature matter of discretion—of opinion, and has been settled by the department whose province it was to settle it. If it might be reversed by opinion, the opinion reversing it, might on the same principle, be reversed. There is no fixed rule by which it can be ascertained that the one opinion is more just and certain than the others and proceedings would be endless and fluctuating discretion in relation to all matters depending upon its exercise, unless the first opinion were decisive. It is, therefore, in all such cases, necessarily decisive.

Upon this principle, which is alike imperiously true in law and politics, the legislative enactments, in relation to execution and the mode of proceeding under them, should remain unrevoked by the judges, even if it were conceded (which it is not) that they could, as in jury cases, take cognizance of the subject. But have the judges the exclusive right to interpret the constitution for the citizens of the state? Is not the constitution as much the political text book of freedom, to the citizens of the state, as their articles of religious faith are, to the believers of any one religious denomination? Is it not the right, as well as the duty, of all the members of the religious society, to read and construe their book of faith for themselves? Would they be bound to adopt that exposition of it by their preacher, which was at war with the fundamental principles of their association and their creed? And which ought they to change, their creed or their pastor? Would not the members of their association, in that case, revolt at the idea of surrendering the right of expounding for themselves, and submitting to his heterodoxical dogmas? Would they submit to dissolve their society, or surrender their creed, rather than remove their pastor? They are exclusively interested in the orthodoxy of their

faith; they each have to suffer, or enjoy, as they shall believe and act correctly, or the contrary. Is it not precisely the same case in the political association? The members will enjoy or suffer according to their faith. But how can they believe, unless they understand; and how can they understand, unless they enquire, read and expound for themselves? In the religious society, the members of the association formed the articles of faith, and employed the pastor, not to make them a faith, but to preach according to the faith which they had made for themselves. So, in the political society, the constitution is the book of the political faith of the members of the society. They made it, and they employed the judges to preach or expound it, according to their understanding of its import, according to their political faith. When the judges, therefore, expound it contrary to the fundamental principles of their political faith, shall they surrender their faith, or, as the religious association did with their pastor, remove the judges?

The constitution is the people's, and when they cease to understand it, it ceases to be theirs. The general opinion of the import of the constitution, is necessarily and alone the constitution. It is the deliberately expressed will of the majority; and to suppose that there is not in society intelligence enough to comprehend the purpose of its own deliberate will, in relation to the most essential rights of its members, and to the rights, powers and duties of its functionaries, is to assert that the people not only do not possess freedom, but are incapable of enjoying it; for, to the enjoyment and maintenance of freedom, there must be a capacity to comprehend the principles upon which it depends. When, therefore, the judges have given an interpretation to the constitution, which is contrary to the general understanding of it by the community, an interpretation in which they cannot acquiesce, a decent respect for public opinion, especially when that opinion is deliberately formed and expressed ought to induce them to surrender it, or their offices; for it is unsuitable and incongruous, that public functionaries should wage war with public opinion. They are trustees, and when they lose the *cestui que trusts*, they should resign the trust. They are public fiduciaries, and they should not continue to be so, without the public confidence, and against the public opinion. They should not forget that public opinion is a tribunal of unlimited jurisdiction, and correspondent power. There is nothing of which it does not take cognizance, from the most exalted, to the humblest subject of human concern. By what other standard do we settle claims to moral excellence, or intellectual preeminence, to delicacy of taste or propriety of conduct, to distinction in arms or in arts? It is this tribunal which awarded epic pre-eminence to Homer, dramatic supremacy to Shakespear, and immortality to Washington. It is to public opinion we submit our claims to reputation, which is dearer to us than life itself. What is excellent in painting or exquisite in music; what constitutes the grand, the beautiful, the sublime in nature, as well as all that charms in art, are settled; and irreversably too, by this august tribunal. Even the deencies and comities of life and of social intercourse, are settled by the same arbitress. And shall public opinion be competent to all this, and be unequal to the interpretation of an article in the constitution, be ignorant of what constitutes the obligation of a contract?

The attempt by the judges in that decision, to prostrate the remedial system which the legislature had enacted in obedience to circumstances of peculiar and resistless pressure, by denying to society the power of accommodating its remedial enactments to its condition, and that, too, upon subtle and metaphysical reasoning in relation to the obligation of a contract, by which to bring the power of legislation within the control of judicial discretion, in its exposition of the constitution of the United States, must have, it is believed, the rebrothation of public opinion to an unqualified extent; and that rebrothation must be strengthened by the consideration that two of the judges—(Judges Mills and Owsly), sanctioned in their legislative capacities, anterior to their elevation to the bench, by their votes in the legislative hall, the very principle which, by their decision, they have attempted to vacate and annul. Each of those gentlemen voted for the enactment of replevin laws, as the records of the legislative department evince. They have all, at various times, and repeatedly, sanctioned by their decisions, the principles upon which the right to enact them is asserted by the legislature, and has been sanctioned in usage, almost time immemorial, by the people. As legislators, they believed with the rest of society, that there existed, in the nature of things, a distinction between the obligation of a contract and the remedy furnished by the legislature for its enforcement, that the former consisted in the consent of the parties upon a valid consideration to the import of the contract; that the latter consisted in that modification of the force of public will, which the discretion of society, upon a just survey of its condition, chooses from time to time to afford in legislative enactment for remedial purposes; that the former consisted essentially in the exercise of the volition of the parties, displayed upon valid consideration in their assent to the contract; the latter in the volition of the people, displayed in remedial enactments. The declaratory laws furnished the rules as to the competency of the parties to exercise their will in the formation of their contracts, and as to the character of the con-

sideration essential to their validity; the remedial laws provided for their enforcement only.

But upon the new theory established by the judges that the obligation of a contract consists alone in the remedy for its enforcement, legislative power must yield to discretion. It must always be a matter of discretion with the judges, whether the legislative remedy is conformable to their notion of the obligation of the contract, and their exposition of that clause of the constitution, which forbids the states to impair, by legislation, the obligation of contracts, and consequently, the rights of the people must depend, not upon law, but upon judicial discretion. That such has not been their opinion heretofore, may be seen by their decisions in the cases of *Grubbs vs. Harris*, 1 Bibb, 567, of *Reardon vs. Searey's heirs*, 2 Bibb, 202-3, and of *Graves vs. Graves's executor*. In the first of those cases, that court says: "Upon the propriety of the remedy by petition, &c. we can have no doubt. The statute is general as to the description of direct debts, whether they have commenced before, or shall exist after the passage thereof. The statute does not change the essence of the contract. It is the mode of recovery only, which is changed. If the proper distinction is observed, between those laws which have reference to the essence, nature, construction or extent of the contract, and those which have reference only to the mode of enforcing the contract, the question will be plain. The *lex temporis*, &c. the means afforded by the law for enforcing a contract, in case of a breach or non compliance, make no part of the contract, and the modes of bringing suit and of execution, are different from, and make no part of the contract. They do not enter into the essence of the contract. So the forms of suit and of execution in our own country at this time or that, make no part of the contract at one time or the other, and the legislature are at liberty to adopt this or that mode of enforcing contracts, which the circumstances of the country may suggest as expedient. The judges say, in the second case: "It is certainly a well settled rule, that the law at the time the contract was made, composes a part of it, so far as it relates to the nature and construction of such contract; but it is equally well settled, that the remedy to enforce such contract must be according to the law in force at the time such remedy is sought, &c." "Contracts are not made with an eye to the law that shall enforce them, &c., but with an expectation of each party's performing, with good faith, what has been stipulated to do." In the third place they say: "With respect to the nature and validity of contracts, and the rights and obligations of parties, arising out of them, the principle is well settled, that the law of the place where the contract was made; is to govern; but with regard to the remedy, the principle is equally well established, that the law of the country where the contract is sought to be the rule of decision. The statute of limitation does not effect the validity of contracts, but the time of enforcing them; or, in other words, it does not destroy the right, but withholds the remedy." In the case of *Stanley vs. Earl*, lately decided, they say that "the statute of limitations not only destroys the right, but invests the adverse possessor of a slave, with a right to recover him from the true and rightful owner."

The supreme court of the United States, in the case of the *Columbia Bank vs. Oakly*, (4 Wheaton, 214.) say: "In giving this opinion, we attach no importance to the idea of this being a chartered bank; it is the remedy and not the right, and as such we have no doubt of its being subject to the will of congress. The forms of administering justice, and the duties and powers of courts, &c. must forever be subject to legislative will, and the power over them is inalienable, so as to bind subsequent legislatures." And the same court in the cases of *Crownshield vs. Sturges*, reported in the same book, pages 200-1, says: "The distinction between the obligation of a contract and the remedy given by the legislature to enforce that obligation, has been taken at the bar, and exists in the nature of things. Without impairing the obligation of contracts, the remedy may certainly be modified, as the wisdom of the nation may direct," &c.

Here it is seen that the judges of the court of appeals have said, in three cases, that the remedy formed no part of the obligation of the contract, and might be altered, varied and amended without impairing the contract or its obligation. The supreme court of the U. S. have said the same thing, in strong and distinct terms. Yet the judges, in the cases of *Blair vs. Williams* and *Lapsley vs. Brahear*, say, that the remedy constitutes alone the obligation of the contract, and cannot be varied without impairing that obligation, and that any law varying the remedy is, on that account, void; that the statute of limitations, by taking away the remedy extinguishes the right. They say that the right constitutes alone the remedy. The supreme court say there is a distinction in the nature of things between right and remedy.

In the case of *Graves vs. Graves*, executor, chief justice Boyle says that the statute of limitation does not effect the validity of the contract; it does not destroy the right, it only withholds the remedy. In the late decision they say, that the replevin bond is void against the creditor, but good against the debtor; that is, that the sovereign people of Kentucky have not the power to pass a law giving validity to the bond, but a single creditor, whether citizen or alien, has the power to give in

validity against the debtor and his securities. So that the same law, when enacted by the state, is unconstitutional and void, and when enacted by the creditor, is valid and binding; or, in other words, a replevin bond is void against the creditor, because it is a statutory bond, and the statute was void; it is valid against the debtor and his securities, when the creditor shall choose to have it so, and because he so chooses.

That court has, in the case of *Stanley vs. Earl*, (5 Littell 281.) pronounced at the last spring term, given an opinion, in which they have employed the whole force of their intellect, to sustain this new doctrine, that *right consists alone in remedy*. They apply, with much emphasis, the term *legal*, to *right* and *remedy*, and by the adjunction of that term to the other two, arrived at a conclusion not very favourable to the good morals of society. The operation which they give to the new principles, excites to the most flagrant dishonesty, by the premium which it accords to its achievements; and they denounce as unfit to be reasoned with, all who do not yield to the force of their reasoning. The replevin principle had been sanctioned by successive enactments in Virginia and Kentucky, from the formation of the constitution of the United States and by the state of Virginia for near half a century anterior to the erection of Kentucky into a state. The valuation principle possessed the sanction of enactments by both states, and by the congress of the United States. Its practical sanction by the people and their functionaries, legislative and judicial, had, it is believed, become too inveterate to be disturbed, even if it had been erroneous; for there is an inveteracy of practical exposition, even of the constitution itself, which cannot be disturbed.

But the principle, in its practical result, is calculated to convulse society. The sales which have been made of lands and slaves under execution, have been, since the commencement of the government in the ratio of at least ten to one, upon replevin and forthcoming bonds. If those bonds were all void, as they must be, according to the new theory of obligation it would seem to result, obviously, that the executions were void; and both being void, the sales would also be void, and invest no title in the purchasers. For if there be a truth in the stores of philosophy, more accessible to common sense, and more intelligible to common understanding than any other, it is, that a lawless and void act can invest no right.—Out of nothing nothing comes. But the first and most particular result of the opinion, if it had not been prevented by the cautionary enactment of the legislature, before alluded to, must have been to strike dead at once upon the hands of society, its entire paper medium, which then exceeded, and perhaps now exceeds, two millions of dollars; to subject the property of debtors to instant sale for gold or silver. For who would receive in payment of his debt, a depreciated paper currency, when he could force without replevin and without valuation the sale of his debtors property, at whatever sacrifice for gold or silver? The decision was calculated to afford to banking institutions, a jubilee of exemption from legal restraints, in the coercion of their debtors.

Society could not, it cannot now, bear the particular results of the new doctrine. It cannot live under them. It cannot surrender the right to exert, according to the limits prescribed in the constitution for their exertion, those remedial energies with which God and nature endowed it, for the avoidance and mitigation of human misery, for the promotion of human happiness. It was for the right of exerting this power that the blood of the revolution was shed, and independence achieved, by the patriots of seventy-six; it is for the exertion of this power, that Greece is now prodigal of her blood, and agonizing at every pore—the power of self government by the people, of suiting, by their legislative enactment, their laws to their constitution, and of suiting them upon the same principle, when their condition shall be varied.

Your committee therefore, while they reverence appropriately the judicial functionaries of the government, and applaud and admire that independence, in that department, which in giving effect to the laws, is regardless of every will but, the deliberate will of the people, feel themselves constrained to report as follows.

[Here follows the Resolution and address for the removal of the Judges, which has heretofore been published.]

## FOR SALE.

THE HOUSE AND LOT, situated at the corner of Short and High-streets, opposite to the Court-house and at present occupied by Nathan Barroes. For terms apply to WALTER WARFIELD.  
Lexington, Feb. 17, 1825—7-1t

## NOTICE.

MR. GEORGE HILL, Hannah Hill, George Hill Jr., Hannah H. Amrose, George Amrose, Nancy Thompson, Archibald Shookly, Susan Shookly, Elizabeth Thomas, Daniel Thomas & Silas Hill.

TAKE NOTICE we shall attend at the office of C. Humphreys in the town of Lexington on the 18th and 25th of March and 1st and 8th and 15th of April 1825 in order to take sundry depositions to be read in evidence in a suit in chancery depending in the Fayette Circuit Court wherein we are complainants and you are defendants.

SIMON B. ALLEN,  
GREENSBY W. ALLEN  
Lexington Feb. 17, 1825—7-4t

## FOREIGN.

*Great Britain and Ireland.* Disturbances still continue in Ireland. It is said that three regiments of foot are on their way to that country, from England; and it is also reported that Mr. Peel has written over for all proclamations, bearing on the state of the country, which have been issued in Ireland for several years back. From all this it is inferred, that great alarm, respecting the state of Ireland, prevails at the other side of the water; that the local government there is not wholly free from apprehensions, and that, in consequence, some very "strong measures," (the old remedy for Irish discontents,) will be immediately resorted to.

The late wet weather has occasioned a scarcity of bread stuffs.

The commissioners appointed to proceed to Canada, (for the purpose of valuing the Canada company's lands) are Col. Cockburne, Mr. Mc-Gillivray, Col. Harvey, Mr. Galt and Mr. Davison two being appointed by the government two by the Canada company, and one by consent of both parties.

A certain Henry Savery, of Bristol, England, has been "Pauntering," as the phrase is for forging, at a great rate. It appears that he had carried on the business for about three years, meeting the payment of one forged note, or draft, by newly forged ones. He was taken prisoner when actually on ship-board and on the instant of sailing for the United States—it appears that business of this description has been transacted to a large amount in England, by several persons. Another has been detected in an affair of 16,000*l*.

Miss Foote, the celebrated vocalist, has obtained a verdict, of 13,000 sterling damages against a Mr. Hayne, for a breach of the marriage promise.

Mr. Henry Hunt has also obtained a verdict of 1200 sterling, against the publishers of the Boston Gazette, printed at Stamford, for a libel which appeared in that paper charging him with imposition in selling roasted corn as a substitute for coffee, and of selling poison in the shape of rye.

*Spain.* No relaxation has taken place in the rigorous measures adopted against the constitutionalists, great numbers of whom had sought refuge in Gibraltar, and were in great distress. Letters received at Barcelona from Madrid, speak of the imprisonment of the duke of Medini Celi, and count Altemira, both descendants of the royal family. So far from these despotic measures conciliating the nation, it appears that symptoms of revolt were every where showing themselves, and it was apprehended, that the withdrawing of the French troops would be the signal for a general rising. It was even reported, that the constitutionalists had taken possession of Majorca, and fitted out several armed vessels; with which they were cruising against Spain.

Private letters from Bayonne, state that all the French troops had arrived on the banks of the Ebro and that the barracks were to be occupied by Swiss troops.

*Portugal.* The king of Portugal is said to have become tired of governing, and to have proposed to abdicate. French influence appears to predominate at Lisbon, which had excited a good deal of jealousy in England. M. Hyde de Neuville had left Lisbon for Paris.

It was likewise reported that the king had refused to ratify a treaty, concluded at London between the ministers of Brazil and Portugal, by which the latter were to acknowledge the Independence of the former.

*Austria.* A general concentration of Austrian troops on the Turkish frontier had taken place; but it was said to be only to establish a sanitary cordon against the plague.

*Germany generally.* It is said that nearly fifty thousand families have suffered by the overflowing of the rivers in Germany. Through whole districts the water swept off every description of property and all their little farming stock. The banks of the Rhine have been broken down, and much suffering has been the consequence, particularly in the grand duchy of Baden. The sufferers have appealed to the British nation for relief.

*Sweden.* At Stockholm, in the recent hurricane vessels were torn from their moorings, and driven against each other; the roofs of houses were carried away, and the roads were so completely blocked up with trees, torn up by the roots, that travellers were under the necessity of cutting their way through with hatchets. Twenty-five vessels, near the bridge of Munkbron, upon the lake Maaler, were carried away by the bridge, and much damaged.

*Denmark.* In the city of Christina, the lower streets, and the quarters of Waterland and Fierdingen, were completely inundated by the waters of the Fiard, which suddenly rose three ells, and soon fell again lower than their ordinary level. The loss in cattle, sugar, coffee, tobacco, &c is immense.

*Russia.* A most distressing and melancholy event has occurred at St. Petersburg, occasioned by the overflowing of the Neva, in a hurricane. The bodies of seven thousand persons have been found in the houses, and eight thousand persons are still missing. Nearly all the provisions of the capital have been destroyed, and as the win-



air is at hand, it is to be feared that the population remaining will suffer the horrors of famine.

The whole regiment of imperial carabinieri, guards, men and horses, have perished. A vessel of 100 guns has completely disappeared, and all the imperial vessels in the harbour of Cronstadt are lost. Burying grounds have been washed away, and the dead bodies were floating through the streets. Whole stores of coffee and sugar have been destroyed; those articles have risen 50 per cent.

The gale began on the shores of England and Ireland, and, after having wrought its fury in the northern sea, and caused numerous shipwrecks upon the northern coast of Jutland, passed by Gottenburgh and Stockholm, continually rising more and more from southwest to northeast.

A St. Petersburg article says the population of the whole Russian empire, including the kingdom of Poland and the principality of Finland, amounted at the beginning of the year, according to very credible Statements, to 53,768,000 souls. In the same article it is avowed that the population of the whole of Russia increases annually half a million.

**Greece and Turkey.** The Greeks had obtained another naval victory over the Turks about the middle of November, and the government had officially announced the blockade of Patras and Lepanto. The Turks were withdrawing their troops, and talked of forming a new army for another campaign in the spring. It is acknowledged, however that they want the means.

The captain pacha has sent to the sultan an apology for his conduct during the campaign—he attributed his defeat to the want of small armed vessels.

The Greek Chronicle, published at Missolonghi, has published two decrees of the government; the first being an amnesty, after the fall of a party which had attempted to seize upon the supreme authority. The second relates to the commerce of aulicals, and some complaints which have been made against the Greek privateers. While the government maintains the necessity which exists to employ that means of warfare, yet measures will be adopted to prevent abuses.

**Last Indies.** The Borneo war continued; but they were so hard pressed that they abandoned the country as the British advanced. The rainy season had caused a suspension of operations. The state of the lower classes of the native population at Madras was so deplorable as to occasion no less than fourteen thousand persons to be fed daily at the depots established by public subscription.

**Central America.** Accounts from Honduras, of the 10th Dec. state, that a serious disturbance had taken place in the sea-port town of Truxillo, in the confederate states of Central America; caused, as it is said, by the arrival of a new commandant, (of color,) who abetted the inhabitants, (for the most part black Caribs,) to exile all those who held any authority under the royalist government.

Niles' Reg.

#### From the Argus. TO THE PEOPLE.

In the Kentucky Reporter of the 31st January past, I observed an article headed "a Letter from Robert Wickliffe to his constituents." I read that article, or letter, with much astonishment; that an individual occupying the imposing attitude of the leader of his party; an individual hitherto of an unexceptionable character, save his political absurdities, and an individual of fortune and family, should so far forget his obligation to his party, his family and himself, as to promulge to the world, a laboured essay containing scarcely a single sentence but what carries upon its face a palpable misrepresentation; not a single deduction but what is at war with the grounds of his premises, and the common understanding of an unbiased freeman.

It would be charitable to entertain the belief, that this was the production of a distempered intellect or disorganized understanding; or that in his zeal to put down the dominant party his mind has lost sight of the eternal boundaries of obvious truth. That the first of these conclusions is true, is forbidden by the productions itself; that the second is true, I think I can make appear without either laboured or forced construction, from his own words.

To attempt to follow him throughout his long Letter, would not only be an imposition upon the patience of the reader, but foreign from my purpose. I will avoid any discussion of the constitutionality of that measure which elicited his production. It will only be necessary to answer him in a few of his more important statements, as I only wish to shew, to you and to the world, that a nominal great man can stoop to miserable small things; and as I think this man generally goes wrong and foremost in politics, I will just answer a few remarks at the conclusion of his Letter.

In relation to the conflagration of the Capitol he says, "The fire commenced on the Cupola and burnt slowly and gradually to the ground; and strange to tell although the Governor was on the ground from the time the fire was first discovered, he permitted nearly the whole of the public Arms and a vast amount in books and other property to be burnt without giving an order to remove them, or so much as advising the bystanders, that they were in the building, notwithstanding the fire did not reach that part of the building in less than a half hour after the Capitol was known to be on fire." What a shameful perversion of truth! It is a fact, well known to every man that paid any attention to the passing scene, that the Governor was early upon the ground; that he was one of the most active individuals in preserving the papers of the respective offices; was the very first one who suggested the attempt to save the public arms; was the first to call assistance for that purpose; was the first to assist in breaking open the door of the Armory; did with his own hands, at the manifest hazard of his life, assist in saving those that were saved; was one of the last and perhaps the very last man that left

the room, at a time when the flames burst down from above, and timbers from the projecting eaves of the Capitol were falling down every instant; so that an escape from the door was hazardous in the extreme. Another fact is well known; that the Governor did not leave the Armory until his friends became clamorous in their intreaties, telling him that his life was in danger. For the truth of these statements, I refer to the individuals who were with him in the Armory and to the members of the Legislature who were in that direction of the Capitol during the fire. I do not care what their politics may be; with the virtuous and just political considerations never do, never can bias truth. Indeed I have heard members of Mr. Wickliffe's own party express amazement at the outrages contained in this extraordinary Letter.

Now for the part Mr. Wickliffe took upon this memorable occasion. He was seen shortly after the cry of fire, to walk slowly and calmly towards the Capitol, mantled in his blue cloak, and approached within about fifty yards of the building in the direction of the Market House, where he halted, and stood aloof and alone, with his arms folded across his breast, with his lips contracted to his peculiar habit when in affected thought, with a few significant nods of his head, seeming to look on the conflagration of the Capitol of his country, with as much indifference as the tyrant Nero did, when he beheld his own Rome, the Capitol of the world in flames. Whilst Mr. Wickliffe was thus gazing as an idle spectator, Mr. H. Clay, most of the members of the Legislature and almost all persons present, were actively engaged in saving the public papers, records, &c. and in saving the public offices. After Mr. Wickliffe mused a while in his aforesaid posture, dreaming probably of Capitol! Lexington! he did perhaps mix with the crowd; but never dislodged his cloak or did any thing that I saw or heard of, by the way of assistance in saving the buildings, papers, &c. If he did, there were many persons present, and he can exculpate himself.

Again, he says, that the majority "have also, by an underhanded act of Legislation, doubled the taxes. This they have done, not by lawing them specifically double, but by passing an act, that the taxable property shall hereafter be valued in Commonwealth's paper and not in its value in gold and silver as heretofore." The state of fact is this, that in all the counties in the state, except perhaps in seven, the property has for two or three years back, been valued in commonwealth's paper, and that instead of doubling the taxes, the object of the law was to make those isolated few, who had only paid half taxes, pay as much as their equally honest neighbors. For the truth of this, I refer to the Commissioners and to intelligent men from the different counties in the state. These facts were surely explained upon the Legislative floor. Mr. Wickliffe was not wont to be absent, except in the morning, and must have, therefore, perfectly understood it. That it was underhanded went do. The subject elicited discussion and must have been understood. For the final vote, look to the Journals of the House and see who voted for it.

The Letter goes on, "A bill was introduced to change the venue for the trial of the Governor's son. This bill was so defective in its provisions, that I knew that Desha never would be tried under it." At another part he continues speaking upon the same subject, "In reviewing my speech, I fear I have done one gentleman injustice, I mean Mr. John Rowan, as I made it under an opinion that he was the counsel of Desha. But as that gentleman had the bill committed to himself, and reported a bill so defective for Desha's trial to Harrison, &c." I would first suggest, that this speech of Mr. Wickliffe's which he speaks of in his letter, was probably like a great many other speeches which we see in print, written after Mr. Wickliffe got home, and after he had learned that Rowan was to be counsel for Desha; for I recollect of having heard Mr. Wickliffe's speech upon that occasion, and do not recollect that he even cast an *impendo*, that Mr. Rowan was to be counsel for Desha. He is like other modern prophets, never publishes his prophecies until the facts are notorious, at least to themselves. As to the facts as they occurred, Mr. Wickliffe does do Mr. Rowan injustice. The bill that Mr. Wickliffe opposed, was drawn up by Mr. Benjamin Hardin, his own political partisan and a member of the judicial committee, by whom it was reported to the house. Mr. Wickliffe was himself a member of this committee, and should have assisted in making the bill perfect before it was reported by said committee; but that did not suit him. He would have left the opportunity of making his great speech and having it published. He would have lost the opportunity of venting his spleen upon the Governor and his political friends, alleging that that party had been the cause of all the murders and robberies committed in the country for years back, and he would have lost the opportunity of expending about \$1000 of public money, (for this subject occupied the attention of both houses for about three days,) which expenditure he has charged to the majority. The fact is, this great speech of Mr. Wickliffe's against the bill, was upon a motion by John Green, for the indefinite postponement, which was intended to defeat its passage in any shape. This bill, as before stated, was drawn by Mr. B. Hardin, Desha's political enemy, and an able Lawyer there is not in Kentucky. He advocated the passage of the bill, and answered Mr. Wickliffe's great speech, which answer Mr. Wickliffe will always have occasion to recollect.

A change of venue in Kentucky has become almost a prescriptive right. Your Statute book is full of them; they cut no other figure on your Journals than their introduction and their passage. I do not recollect of ever having heard of one being rejected, nor would there have been an opposition in this case, if Isaac B. Desha had not been the Governor's son. It was but two winters since, that Mr. Wickliffe indirectly obtained a change of venue for a client of his, I think by the name of John Williams. Being his counsel, he was too modest to introduce the petition or bill himself; but got one of his dearly beloved to do it for him; which bill was not in any shape arrested in its passage; but if I recollect right, it was hurried through by a dispensation of Constitutional provisions, &c. For these facts, look to your statute book and your Journals. For the deductions, look to the common sense of mankind, where you will find that men seldom act without motives.

In speaking of the old Judges, Mr. Wickliffe says, "have they committed any offence?" "Have they sat in judgment on their own cases?" "Have they, for all their labour and toil, they have accumulated nothing in old age, when they are holed from their seats, and treated as state criminals, condemned unheard?"

Have they not committed an offence by giving erroneous decisions, and with bold defiance persisting in them, which are at war with their course as Legislators, at war with their own decisions, pronounced on former occasions, in their own court, and at war with the adjudged opinions of the first jurists both federal and state in the Union. Every unbiased mind that has read upon the subject, says yes. Has not one of them at least, sat in judgment on his own case, or in a case in which he was interested. Look in the journals of the House of Representatives of the session of 1822, and you will find an answer. Are they "condemned unheard?" Look at the election polls for the last three years; look at the journals of the Legislature for the same time; read the prints, hand bills, pamphlets and newspapers; read Mr. Wickliffe's protest and the speeches of Messrs. Robertson, Breck, Turner, Green, Cunningham, &c. on the Legislative floor,

and then say whether or not, they have been heard. Is it not enough, that the freemen of Kentucky should, at three several elections in three several years, have expressed their condemnation and disapprobation to their counsel. And is it not too much that we should now be told, that they are treated as state criminals and tried unheard?—Where, I ask, is their triumphant, and most luminous? Response, if they have been condemned unheard? It won't do, common sense is a coin that has yet a currency, that cannot be counterfeited by the naked declaration of fire side patriots or Grassy protectors.

The latter continues; "the friends of the constitution, during this discussion, were annoyed by every means in the power of the majority, who were at times, not only disorderly but continually harassed them with calls for the previous question." As to the continual calls for the previous question, such was not the fact. It did occur three times; I think not oftener; but was never pressed by the majority. It would seem to me, that Mr. Wickliffe could not have been greatly harassed, for he continued upon the floor for something like six hours at one time; nor his party, for they discussed the question for three days, including a portion of each night. There was no disorder that I have heard of, save the cry of fire, which was attributed to his party for some sinister motive, together with the playdits to Mr. B. Hardin, &c. and the facts that I am informed of, that shortly before the bill finally passed, Mr. Wickliffe, in his seat, paid his court to a certain quart bottle on the floor, after which, Bacchanalian like, he became disorderly; repeatedly moved for an adjournment, calling at the same time for the yeas and nays, to weary the patience of the house; and he now complains, that the reorganizing bill was passed at night! But minorities can do no wrong; majorities do; so says Mr. Wickliffe. But the honest and independent freemen of our country will think otherwise, or I am mistaken.

Again Mr. Wickliffe says, "I tremble not so much for myself, as I do for my country, when I reflect upon the character of the tribunal (meaning the new court) which is erected to dispose of the lives, liberties and properties of thousands of my countrymen." Now it is a matter well known, that Robert Wickliffe, Esq., has as high a regard for his individual self, as any other individual in the community; and his now trembling for his country, carries upon its face a little novelty. Did he tremble for his country during the late war, when we were assailed by British and Savage invaders, when he had an opportunity of displaying not in words, but in actions, his attachment for her interests! Where was he then? I believe he did muster up courage to accept an appointment in the militia; but had to resign to take care of the one thing needful, some little expectancies or in popular language, he had to see his granny die!

What has this tribunal to do with the lives and liberties of thousands of his countrymen? Mr. Wickliffe as a Lawyer, must know that this court has no cognisance of a single case, where the life of an individual is jeopardized; nor have they cognisance of the liberty of an individual, except for contempt and were it possible that they had, is William T. Barry the Chief Justice, that tyrant and despot, that he is represented? Who is W. T. Barry? He is a Kentuckian, who by the force of his own worth and genius, has reared a character that cannot be shaken by the foul aspersions and denunciations of a Wickliffe. His worth and his services are known and are appreciated by Kentucky. Turn back to his past life; dislodge the mantle that obliterates the acts and secrets of men and shew the act of his, that deserves the appellation of Despot! Exhibited to the world, his life stands conspicuous; his services as a soldier, a judge, a statesman and a lawyer, award him the wreath of virtue, patriotism, intelligence and worth. The character of the associate Judges stand alike beyond the reach of the foul breath of calumny.

In relation to the member, the *thoroughgoing* relief man, who indulged in certain qualms, and who had as good a relief soul, and that when his "name" should be called, would vote against the bill." That gentleman never stated that he would vote against the bill. He certainly did say, that he could not then vote for it and he certainly did say for us stated it to the writer of this article, that he would not vote against it, and therefore left the house to save embarrassment when his name should be called. The gentleman is living and can testify for himself.

I have extended this article to a length that I did not at first contemplate. I have left unnoticed many passages of Mr. Wickliffe's extraordinary Letter, of a character outrageous in the extreme. I call upon the people to read it, and they will find, to use the language of a lawyer, that it operates as a *felix de se*, and at the same time invokes the Anathemas of every unbiased freeman.

And now fellow-citizens, in what light are you to view this partisan; the man who tells you that your government is at an end; the man that will fault find because they differ in opinion about construction; a man who declares that you are ruled by despots; a man who attempts to defeat an indispensable right of an individual because he is the Governor's son; and a man that does misrepresent palpable and notorious facts. Is there an apology? Would disappointed ambition be a sufficient one? Would prophetic speculations do? Or would the loss of a few dollars resulting from the exiles of war and the wreck of commerce do? No! Whilst moralists have a name or virtue or virtue, I cannot offer an apology for such an outrage. If Mr. Wickliffe should consider himself aggrieved, he must recollect that other men have rights; has a regard for reputation and character; and would be traitors to themselves to suffer such calumnies to and misrepresentations to go unnoticed.

SIDNEY.

In our next we shall lay before our readers an article on the subject of the removal of the Judges of our Court of Appeals copied from a distinguished paper published in Alabama. It is written in a plain but dignified manner. It will unfold to the people the true opinion of us abroad. Was the opinion of the great body of the sister states known, we have but little doubt it would be in favour of the course which has been pursued by the Country Party in this state. It is the cause of the PEOPLE, and Kentucky will not long stand alone—it will soon become a common cause. It is the doctrine of the Jefferson school, and the principle will as certainly triumph as those of Jefferson did over Adams.—Commonwealth.

We have said the principles for which the freemen of Kentucky have been contending, would become a common cause—that they would be embraced by the people throughout this widely extended

republic, and before our remarks are set in type, we find them verified in part by the people of the state of Mississippi, through their Legislature.—That body is now in session, and we learn from the Southern Luminary, published at Jackson, the seat of government, that on the first day of the session Mr. Williams introduced a resolution, the purport of which was to notify the Judges of the Supreme Court of that state, to appear before the bar of the House of Representatives and shew cause why they should not be removed from office in consequence of their erroneous decisions vacating the act extending further relief to Debtors.

Commonwealth.

#### Communications.

##### LA FAYETTE. To the People.

Throughout the civilized world, since the American Revolution, there has been a continual contest, between the friends and foes of popular rights. The illumination of that great event, cast its light across the atlantic, and awakened the people of Europe to a sense of the wrongs they endured, and the rights of which they had been robbed. France, Spain, England, Italy, all have felt the power of struggling freedom. Even the German and the Russian boor have been roused for a moment from the trance into which they had been thrown throughout ages, by benumbing despotism. But the blessings which liberty was preparing for Europe have been withheld by the machinations of her tyrants. The art, the union, and the influence of the few, have prevailed over the open honesty, the fearless confidence, and the distracted power of the many. The governments originally designed for the benefit of the people, but in their conformation rendered irresponsible to those who gave them birth, have become the sanctioners in which errors, abuses, and corruptions have taken refuge. Around those strong holds the pride of aristocracy, the pomp of wealth, and the arrogance of Genius have summoned all their votaries and concentrated their powers; and those lordly influences have at once sunk the people into vassals and made the Governments themselves the engines of their oppression. Resolutions like the explosion of mines have sometimes thrown down these defences and exposed the usurpers to the action of the people. But now the reasons of reform to be sought even in the dangers of revolutions have been sealed up in Europe. The holy Alliance, that combination of Governments to assist each other, in the suppression of the spirit of liberty among the people, has like a general Eclipse, shrouded in gloom the fair prospects of the states of Europe.

Can America read no lesson, in the fate of the enlightened, the once free, but now enthralled states of the old continent? Have we no Aristocratic spirit in our country—no wealth which spurns the laborious throngs, from which it has derived its imposing grandeur? no "talented minority" which looks down with supercilious scorn and claims a control over the multitude of little men, which it presumes to consider as fashioned by nature for its use! Are there no departments in our government, in which the agents entrusted with authority, may make safe lodgements of the usurped power on which ever vigilant ambition, will endeavor to rear its crest? JEFFERSON, the sage whose auspicious voice spoke into existence our independent governments, and whose prudent hand conducted their progress from the worst, to the best and happiest period in their annals, has from the watch tower of Monticello, caught with his philosophic eye the obliquities of the government from its orbit, which mark the agency of those improper influences which tend to its destruction. He has warned the people against the power of the Judiciary, that power as he says installed for life which though it commanded neither the sword nor sceptre of a nation is the willing ally of both, and ready to destroy, under the forms of law, the balance of the government, and to give their constructions for the true constitution, of the country. His experienced mind was the first to perceive the dangerous innovations, and the boundless power assumed in the principles promulgated in the opinions of the Supreme Court of the Union. The practical results of those high handed doctrines are no longer the subjects of anticipation. State after state has been dragged before this autocratic tribunal bound to its bar by the fetters ("Vinculi Juris") of an insidious profession and each in succession shorn of some portion of its sovereignty. Has Kentucky to learn from the aggressions on the rights of other states the tyranny of this tribunal? Has she forgotten that the Banks of the United States located within our limits, while they prey upon the citizens and raise an immense revenue for foreigners, have been exonerated by the court from the ordinary tax to government, which by the constitution it has a right to impose on all wealth protected by its laws within its bosom? By what right in this free country has the court undertaken to give immunities to a corporation of stockholders, which are prerogatives allowed only in Europe enslaved as she is, to her potentates and nobility? By the same right by which it has robbed us of the power of legislating for our own soil, the dearest and most essential attribute of sovereignty.—The right which it has assumed of giving constitutions according to its views of political expediency, or rather its own political purposes. To this power Kentucky has not yet bowed the neck. She is at this moment raising her voice against it in the hall of Congress. Against it at the Bar of the Court itself, the first men of our country authorized by the state have exerted their talents and protested in vain. And our exertions will ever be in vain, unless we can vanquish the treachery at home, which springs from the mercenary and ambitious views which have betrayed freedom in every country, are combining this with *Authority*, which they proclaim to be independent of and irresponsible to the people that it may engraft on it a supremacy which shall overshadow by its height and expansion all the

institutions of popular growth, which flourish in the light of public sentiment, but must perish in the shade of this monstrous Upan.

Kentucky must vanquish "the faction at home which assail her rights, before she can successfully assert them abroad. The late Court of Appeals of the state not only gave its sanction to the oppressive edicts of the Supreme Court against state rights, but has gone beyond it as a pioneer to prepare the way by which that arbitrary power may march to new conquests. By that latitude of construction given in its late opinion upon remedial laws, to the constitution of the United States, the legislative power of the state governments the great bulwark against consolidation, is sacrificed at a blow; and the supreme court of the union is invited to reverse its former principles of constitutional construction with regard to certain general clauses of the instrument and to apply a meaning which will reduce state sovereignty, to a name—which will make judicial power every thing—the Legislative power nothing.

Against these encroachments, the people in the repeated exercise of their right of suffrage have given the most unequivocal marks of disapprobation. And the last legislature of Kentucky in obedience to the will of their constituents endeavored to arrest the dangerous tendencies of the precedents and principles proclaimed by the Judiciary of our own state. In effecting this purpose the mildest manner of reform was adopted.—The establishments instituted by the act of the Legislature were peeled and renovated.—This course did not make it necessary to mark the individuals who had held the stations with the public condemnation. But what has been the result of this measure? The friends of the late Judges have become doubly incensed at a mode of redress, which, while it vindicated the rights of the community, deprived the Judges themselves of that sympathy, which ever attends a man when individually subjected to the public justice. They are incensed too, at the late act of the Legislature because it has removed the Judicial Ambuscade from whence the people were attacked, but dare not resist their concealed enemies without incurring the odium of opposing the constituted authorities of their country. Those therefore who have hitherto stood behind the Judges prompted their responses, and spoken with the voice of authority must now come forward in their proper persons. They are already disclosed and have filled the country with their clamor. But in abandoning the Bench and the weapons with which they there endeavored to defend themselves, they have betaken themselves to another strong hold and they now claim the constitution for a shield. But who are the Patriots who with a new born zeal appeal to the constitution to maintain their old principles by which it was violated. Are they not the same individuals who have made the most persevering efforts to break down its sacred monuments and all that the people hold dear under them? Is not ROBERT WICKLIFFE ESQ. the most prominent personage in this new set of pretended constitutionalists! ROBERT WICKLIFFE whose most favourable construction of the constitution tends to the consolidation of the government in the federal powers & the annihilation of state rights; who originated the question in the case of GREEN & BIDDLE which has terminated in the oppression of the occupants of our soil and the sacrifice of the sovereignty of the state over its own territory—who procured the decision in the case of LAPSLEY and BRASHEAR which if permitted to be drawn into precedent, destroys the right of the people through their representatives to provide their own system of remedial justice; a right older than the constitution itself, recognized by its framers, and sanctioned by the social interpretation given to it by every generation which has passed since its establishment—who stood forth the champion of the Bank of the United States and advocated the monstrous pretension, to tax the people without being itself subject to taxation—who make up the rest of this sacred band of sworn supporters of the constitution! The most distinguished individual next to Mr. Wickliffe is BENJAMIN HARDIN ESQ. his near relation, but much more nearly allied by sympathy of principles and purposes.—This is the gentleman, who while clothed with the honors and confidence of his country as a member of Congress received a fee to appear in the case of GREEN and BIDDLE against his country's cause and those employed by her to defend it at the Bar of the Supreme court. Since that time, he has followed up the principles which that conduct indicated, by supporting all the high handed measures of the Supreme Court, and our own appellate tribunal, against the right of State legislation.

JOHN GREEN ESQ. of Lincoln is another tall figure in this group of ultra-federal politicians. He was a party concerned in interest in the famous case of GREEN AND BIDDLE, devoted his purse to procure the mischief which resulted from it to his country and is now devoting his talents and attainments to give full force and effect to that dangerous precedent and all the obnoxious auxiliary precedents of our own Judiciary.

GEORGE ROBERTSON, JOHN POPE and JOHN J. MARSHALL have also taken the field with hearts of controversy. They deserve on many accounts particular designation but the limits of this article will not allow more than a sketch. The first has always signalized himself in every great political question, by an extraordinary opposition to popular will. The second made his first appearance on the political stage at home in favor of the Alien and Sedition law.—His next display was in Congress on behalf of the old Bank of the United States, which was filled with foreign stockholders & was the corrupt instrument of foreign influence in America.—And the conclusion of his national career was an effort to paralyze the arm of his country in her attempt to vindicate her rights against the outrages of England. He has arrayed himself (since reduced to the limited sphere of State politics) on all sides and in every garb but in every critical conjuncture he has been found consistent only in his enmity to liberal principles.



Mr. MARSHALL has brought, to the party with which he has united himself, a hereditary stock of opinions, admirably calculated to give confidence and encouragement to the supporters of doctrines so rank, that the boldest adherents have hitherto sought to conceal and even now blush to avow them. The aristocratic pride of his family—their devotion to the principles of PICKERING AND HAMILTON, their hatred to those of JEFFERSON, and the democratic party—feelings which have made them in a great degree political outcasts, have furnished to this gentleman in whom their ambitious hopes still survive, all the characteristics of temper, habit, and principle which should give complexion to the party to which he now belongs. Besides the individuals who are thus distinguished, there are many more young aspirants of the same faction, who seek distinction by adhering to them, and catching their reflected light. The signers of Mr. Robertson's Protest may be considered of this number and that admirable state paper may fairly be pronounced to contain the articles of their faith, and their subscription, a solemn covenant on their part, to support them. The Judges too since their descent from the Bench have become political pamphleteers, and are determined if they be not permitted to adjudicate for others, they will at least sit in judgement on their own case.

From a junta made up of such materials, can the people rely for a fair interpretation of the constitution and the principles of their government? Are these men, recent as they are from a hot warfare against public sentiment, now to be permitted to dictate it? Can they be supposed willing to concede to the people their fair and legitimate powers, baffled, defeated, and disgraced as they have been in all their projects by the suffrages of the people? And yet with a view to delude the public mind they have filled the state with their speeches, responses, circulars, protests and appeals, in the hope, the vain hope that they can drive the people to condemn their own matured opinions; sacrifice themselves, and make a tender of the government to the holy keeping of our Aristocracy & those modest Judges who hold their very errors inviolable.

It is my intention in occasional pieces to invite the public attention to the purposes, and publications of this party. It is not much that an unassociated, unassisted individual can do against a confederacy of men of talents, leagued together under the pretext of informing the people, but in fact for the purpose of deceiving and misleading in the hope that they may be induced to counteract the very measures adopted by their representatives for the security of the Commonwealth. But it is only necessary to present to the public mind the various aspects of the controversy; the acuteness, intelligence, and independence of the community will do the rest.

In ushering my opinions to the public under the sanction of a venerated name, there is no intention to impose on the most ignorant the belief that the signature is more than an anonymous title. It is assumed that the purity, the liberality and disinterestedness of the distinguished individual who bears it, may inspire among us the spirit which has characterized his illustrious life and that the public may be induced to bear in mind the great principle which actuated his ardor in the cause of our country—the principle which recognizes the right in the people to govern themselves. The opposition to the late act of the Legislature and all legislation for years back, springs from hostility to this axiom of our institutions; and the effort now making is to establish the independence of the Judiciary, at the expense of the independence of the Republic. Who will not revolt at the thought of subjection to such a petty bondage when he utters the name of LAFAYETTE?

FOR THE GAZETTE.

To Samuel Brown M.D. Professor of the Theory and practice of Medicine in Transylvania University.

DEAR SIR—

The members of the Medical Class of Transylvania University, beg leave to express to you publicly, through the medium of their committee, their extreme regret, at your determination to resign the professorship, which you have so long, so zealously, and so ably filled. They are fully aware that your resignation is founded upon a sense of duty, much more interesting and commanding in its character, than that, which you could possibly owe to any literary or professional institution; and which under existing circumstances, it would be impossible for you to resist. Were we to permit you to retire from your official duties in Transylvania, without expressing our highest approbation of your able and successful performance of those duties, we feel, that we would be doing injustice to you, and to ourselves. To take a final leave of a learned and venerable professor, who has been so long, and so successful, a cultivator of Medical and general science, and who has also sustained to us the relation of preceptor and friends fills us with emotions of sorrow and regret, which, it would be difficult to describe. We know that you will leave in the medical department, much learning and talent, but we believe that it will not be easy to supply your place, with a combination of professional and moral worth, equal to that which the institution must lose, by your resignation. While we admire the eloquence and professional research, which you have uniformly displayed in your course of public instruction, we no less love and venerate those warm and virtuous feelings of the heart, which the purity of your character equally impelled you to exhibit. In you, the Medical Class has found an able, and a zealous teacher, and a firm, and disinterested friend; and altho we may soon be scattered over the western and southern region, yet go whither we may, we will not cease to cherish a lively and grateful remembrance, of one, to whom we owe so much for the advancement of our medical knowledge. We knew, sir that to you, the syren eulogy of praise, has lost its melody—your reputation is not based upon the adulations of the multitude, but it arises from an elevation of character, that can alone sustain the living and guard the sanctuary of the tomb. Infusing our last adieu of one whom we so much love and esteem we would wish you, happiness in life and peace in death—but it is useless—you have in the virtuous sentiments of your heart, a rich fund of happiness "which the world can neither give nor take away," and which alone can secure you, a happy transit to another world.

E. PICKETT,  
EDWARD CARRELL,  
SAMUEL W. COOMBS,  
CHR. WALLACE.

On motion it was resolved unanimously by the Medical Class, that the foregoing address to professor Brown, be published in some public paper in this town.

Lexington, February 19th, 1825.

ANSWER TO THE ABOVE.

To Dr E. Pickett, Dr Edward Carrell, Mr Samuel W. Coombs and Dr Chr. Wallace, committee of the Medical Class.

GENTLEMEN—

The kind, the flattering, and very eloquent address which you have just delivered to me, in the name of the Medical Class of the Transylvania University, has awakened in my breast emotions of gratitude which no language can express. When I attempted the other day, to take my leave of that interesting assemblage of my young friends, my feelings so completely overcame me, that I could neither apologize for the numerous and great imperfections of my Lectures, nor thank the class, in suitable language, for the indulgent and polite manner with which they had heard them. I pray you gentlemen, to assure the class of the profound emotions of gratitude, with which this fresh manifestation of their kindness has overwhelmed me; if it ever has been my good fortune to have implanted in your minds or in that the medical class which you represent any germs of medical science, I feel confident that your industry and ardent enthusiasm, will cultivate and rear them to perfection; and I cannot for a moment doubt of the important improvements which will result from your energetic and persevering efforts. In any situation where I may be placed, I can render a service to you gentlemen, or to any member of the class, I entreat you to demand it, as the consciousness of having done you a favor would lessen a debt of gratitude which I can never fully discharge.

With sentiments of great

respect and sincere affection,

I am your most obedient

SAM. BROWN.

FOR THE GAZETTE.

This day a number of the citizens of Scott county convened a Herndonville according to previous notice, to take into consideration the policy and constitutionality of the law reorganizing the court of Appeals.

About twelve o'clock Mr Rhodes Smith was appointed chairman and the speaking commenced, which lasted until about an hour by sun. All the strength of the court party of this county was present and spoke: lawyer Robinson, lawyer Miller & lawyer Flournoy spoke for the old Judges, and Benjamin S. Chambers, James Johnson and Robert J. Ward spoke for the people when the question was taken, upon counting there was 102 for the people, and 19 for the old Judges. Thus the people had a most triumphant victory, the utmost good order prevailed among the speakers and the hearers.

February 10, 1824.

## THE GAZETTE.

THURSDAY.....FEBRUARY 24, 1825.

TERMS: THREE DOLLARS (CURRENCY) PAYABLE IN ADVANCE.

EDITED BY JOHN H. McALLA.

No Washington Mail yesterday.

We are sorry the toasts drunk at the dinner at Mr. Lynches on Tuesday last, came too late for insertion to day. They shall come out in our next.

The following resignation of a Trustee of the town, is produced by a desire that the question of removing hanging signs, sheds, and other obstructions in the streets of the town may be decided on by the citizens. Dr. Cloud, we have no doubt is willing to serve, if again elected, and will consider a re-election as an instruction to the board to go on in the good work of regulating our streets, and restraining the citizens from injurious encroachments upon them. It is thought that this is a better way of testing public opinion, than by personal application to individuals by those who wish obstructions to remain, which application, when urged by the strong feeling of self-interest, can seldom be resisted.

LEXINGTON FEB. 14, 1825.

To the Chairman and Board of Trustees of the town of Lexington.

GENTLEMEN,

Having discovered among our constituents a difference of opinion on the question of removing certain obstructions from the streets; I have thought it but justice to consult the public will on that subject—which can be done perhaps best by the election of another Trustee. In order therefore to enquire of those who have honoured us with their suffrages, and that our constituents may be fairly heard on these subjects, you will please accept this tender of my resignation.

Permit me however in quitting your Board, to express my high regard for you, and my sincere wish that the peace and harmony that have so long characterized our deliberations may always attend you.

Accept, gentlemen for yourselves, and those we have been honoured to serve, the best wishes of your friend and humble servant.

C. W. CLOUD.

## COUNTY MEETING IN FAYETTE.

The Editor of the Reporter in republishing the report of the proceedings of the above meeting has very properly given up his authority for the estimate which was made of the votes, at the end of the resolutions. It was the Secretary, and other gentlemen. As the other gentlemen are to be taken ad libitum, we must consider the statement as resting on the authority of the Secretary. We are the more pleased with the fact, inasmuch as having seen the name of the venerable Chairman placed beneath the statement, when it was known that no such estimate was made and submitted to the meeting previous to the adjournment, it might have been thought to have the sanction of his name. But how the Secretary can justify himself for foisting in a statement so contrary to fact in the official statement of proceedings of a meeting, at which no estimate was made while the chairman was in the chair, he must be able to justify to his own conscience. No doubt it answers the ratee those who appointed him; and who publish his statement so triumphantly. We do assert, that so soon as the question was taken on the tenth resolution, the meeting adjourned. Then if any further proceedings, or statements are contained in the report of the proceedings, they are unfairly inserted.

To prove the fact moreover, that 12 or fifteen votes were rather too few to be allowed to the minority on the vote where a contest took place. I will merely state what one of the gentlemen who counted at the door, and who belonged to the majority, stated on the same evening, in relation to that fact. He said, that from his position he had a fair opportunity of hearing, as well as seeing. That he thought the vote stood about three to five on the decision of the question in the sixth resolution. Others who were present, contended that it was nearer a tie. Now if our friend of the Reporter was right in supposing there were eight hundred present, the minority was about three hundred. But he is almost as extravagant in his over estimating the number present as his friend the correct Secretary is in underestimating the votes in the opposition. There were but two hundred and thirty who were counted through one of the doors of the meeting house; and supposing there were no more who came out of the other door, the number fell short of five hundred. So much for the expression of the sentiments of a county containing 2500 votes, by five eighths of a meeting of 500 persons.

## MR. WICKLIFFE VS. THE GOVERNOR.

The Editor of the Reporter has at length descended from the dignified attitude he has heretofore assumed, and entered the lists to defend Mr. Wickliffe's circular, from the attacks in the Gazette. After simply premising that it is not the fact, that the falsehood in relation to the Governor, was the most important one in the letter, or that we so attacked it; we will hand the Editor over to "Sidney" which we re-publish in this day's Gazette for his benefit. He will there see the attitude assumed by the two parties; and the people will be able to draw their own conclusions, as to which of them best discharged their duties as public servants. Was not Mr. Wickliffe as much interested in the preservation of public property as the Governor? Was he not a representative of the people, and therefore interested in preserving their property? Contrast the conduct of the representative and the Governor! If Mr. Wickliffe knew that the arms were in the State House, and we presume he did, whilst the Governor like a school boy as Mr. Smith says was climbing on the tops of houses to save the public records, why did he not fly to their rescue? These tales will not do for the people who expect a man to be able to do something more than to find fault with the conduct of other people.

The Editor of the Reporter thinks it illiberal in us to make any attack on Mr. Wickliffe's road bill; and promises a publication of it. We promise if he does, that it will open the eyes of the people so wide that all his art cannot close them again.

We will ask the Editor of the Reporter if his notice of the attendance of Judges Haggin and Barry on the Court of Chancery in this town, was not intended to convey the idea that they were acting improperly as men, and contrary to the resolution of the Legislature as judges. Why does he evade the charge, by saying he does not deny their right to attend the courts? If they had done so in reality, would he not indeed have made out a monstrous charge against them? The fact is, as was stated last week, that those gentlemen attended in the office with a view alone of procuring a proper disposition of their business in the hands of practitioners at this bar. This is on good authority, for however some gentlemen may indulge in unauthorised calumnies, we will pay that respect to our opponents, never to charge them with the commission of crime or even a fault, without authority for it, sufficient to bear us out.

## PRESIDENTIAL ELECTION.

On the 9th inst, the votes for the several candidates were counted at Washington, when the following result was announced:

For General Jackson 99. For Mr Adams 84 For Mr Crawford 41; and for Mr Clay 37.

There being no choice by the Electors, the House proceeded to ballot by states; when on the first ballot Mr Adams was elected. The vote stood as follows:

## FOR JOHN Q. ADAMS.

Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, Vermont, New-York, Maryland, Ohio, Kentucky, Illinois, Missouri, Louisiana. 13.

## FOR ANDREW JACKSON.

New Jersey, Pennsylvania, S. Carolina, Tennessee, Alabama, Mississippi, Indiana. 7.

## FOR WILLIAM H. CRAWFORD.

Delaware, Virginia, N. Carolina, Georgia. 4.

Of the Kentucky delegation it is understood that eight voted for Mr Adams & 4 for General Jackson.

Those for General Jackson were John

Thomas P. Moore, Francis John Wickliffe. The rest voted for M

We learn, in respect to the Committee on the Speaker's House of Representatives, declined appearing before addressed to them a paper the reasons which have which he has adopted understand, was not allow the committee meeting of the It is under cation to the cided terms, ag Representatives, o to hold him responsible, ter which has been the found, and he has also protested agains. committee to place him in the attitu ser, and especially upon general charges, ined in his own letter, but indicated by the

We are happy to learn, from an authentic source, that the British Government, through our Minister at London, the interesting information that that Government has come to the determination to recognize the Independence of Mexico and

Buenos Ayres, and also of Columbia, reserving a declaration, as to the latter, until the effect of the contest in Peru be more certainly developed; and that this determination will be communicated successively to all the other foreign powers.—Nat Int

MARRIED—In Tennessee on the 30th January, Orville Shelby Esq. to Miss Caroline E. daughter of General James W. Winchester.

DIED—In this town on Saturday last, Thomas Jefferson Tibbatts, son of Mr Thomas Tibbatts of this place.

At Hopkinsville on the 11th inst Benjamin W. Patton Esq. one of the Judges of the Court of Appeals.

In Shelbyville Ky on her way to Fayette county on the 16th February 1825, Mrs Eliza Coleman Elley aged twenty years on the date of her death; she has left an infant son and her companion, to mourn the loss of an affectionate wife and fond mother.

It would be but in vain to endeavour to speak of her husband's loss; the Lord gave and the Lord taketh again. May the afflicted husband appreciate her loss and lean upon the arms of Christ for comfort as she did in her last struggle for breath.

Lexington Royal Arch Chapter, No. 1

THE companions will please to recollect that Monday night next, is the monthly meeting of the Chapter, and govern themselves accordingly

Lexington Feb. 24, 1825

## W. T. BARRY,

INFORMS his clients that THOMAS M. HICKEY, JAMES E. DAVIS, & JAMES SHANNON Esqrs. will attend to his business in the Fayette Circuit Court, and JAMES SHANNON Esq. and COL. J. M. CLARK in the Jessamine Circuit Court, in aid of his late partner, CAPTAIN TIBBATTS

Lexington Feb 24 1825—4-1f.

## UMBRELLA.

THE gentleman who borrowed a NEW GREEN SILK UMBRELLA from the room adjoining the Concert on Tuesday Evening will please leave it at Mrs Keen's bar, or at Mr Palmer's Book Store.

Lex Feb 24, 1825—8-3f

## J. M. PIKE,

WANTS TEN SHARPS of OLD KENTUCKY BANK STOCK. Please apply at his LOTTERY & EXCHANGE OFFICE.

Lex Feb 24 1825—4-1f.

## Whitemore's Machine Cards

For Sale by Charles Doane, Cincinnati.

24 in. by 5	No 31 wire.	a \$2.25 pr. sq. ft.
24 " " 4	" 32 "	2.37 1/2 "
24 " " 5	" 29 "	2 "
24 " " 6	" 32 "	2.37 1/2 "
24 " " 7	" 33 "	2.75 "
24 " " 8	" 30 "	2 "
24 " " 9	" 28 "	1.75 "
18 " " 4	" 33 "	2.75 "
18 " " 5	" 35 "	2.75 "

Filling " 1-8 12 and 14 inch from 35 a 44.

ALSO TACKS.

1 1/2 2 2 1/2 oz	12 pr 16	3 oz	13
4 oz	14	6	15
8	16	10	17
12	18	14	19
16	20	18	23
20	25	2d clouts	23
3d clouts	31	Pump tacks	31

Cincinnati Feb 24 1825—8-4f

## Fayette County Set.

TAKEN up by Samuel Trotter at his farm near Lexington a DARK BAY MARE about seven years old 14 1/2 hands high, a recent cut on her left hind leg about the knee; a defect in the right eye, no brands perceptible; appraised to \$40 currency before me this 22nd Feb. 1825.

R. S. TODD, J. P.

8—3f.

## Public Arms Lost.

ALL persons having in their possession any swords, pistols, muskets or other public property belonging to any of the Volunteer companies formerly belonging to the Regiment and are not received for, are hereby requested to deliver them at the office of Gen McCalla.

H. BEARD, Col. 42nd Reg. E. M.

Lex Feb 24, 1825—8-3f.

## Administrators Sale,

ON Friday the 4th day of March next, will be sold at public sale at the late residence of Moses Hicks dec'd 7 miles west of Lexington on Steels run near the old Frankfort road, all the personal estate of said Hicks, consisting in part of

Horses, Cattle, Sheep & Hogs,

Household and kitchen furniture, farming utensils, one wagon and gear, corn, hay &c. and various other articles.

Nine months credit will be given for all sums over five dollars, the purchaser giving bond and approved security. For five dollars and under, CASH in hand The sale to be for gold and silver coin of the U. States

JOHN HICKS,

RICH GARNETT, Adm's

At the same time and place, will be sold by the subscriber, TWO STILL'S, TUBS, and other articles belonging to a Distillery, on the same terms as above.

J. HICKS.

Fayette city, February 24 1825—8-2f.

COWANES: he is a complexion, blue ken to appears so. fur hat; the above reward to be but no charges paid, from harbouring him as I am de

THOMAS B. A. 1825—8-4f. Lexington Feb 24, The Olive Branch, (Dan... above three times and forward their account to office.

## Town Ordinances.

Board of Trustees; Lexington, February 3, 1824.

BE it ordained by the Board of Trustees of the town of Lexington: that each owner of a House in the limits of said Town be directed and required to furnish to the general Fire Committee appointed by the Board on or before the first day of April next as many fire buckets as they are at present required to keep in their houses, and that in future the said owners of houses be exempted from the duty of keeping fire buckets in their houses.

2. Be it further ordained that a receipt shall be given by the fire Committee or their agent to those persons who shall furnish buckets in accordance with the foregoing requisition which receipt shall be a full release to them from the penalty of not keeping buckets in their house

Passed the first reading.

Att. JOSEPH TOWLER Clerk

## CAUTION.

I hereby forewarn all persons from trading for two promissory notes one given by me to Moses J. Bonner for seventy dollars and the other in favour of Francis Ogden for sixty dollars the debts not recollected which notes were transferred by said Bonner and Ogden to Joseph Ford and which I am determined not to pay unless compelled by law because I hold said Fords notes for a greater amount.

Feb. 17th 1825—7-3f

## CAUTION.

I forewarn all persons from trading with Hamilton Atchison Administrator of Daniel Dennison dec'd for a note which he holds on me for one hundred and thirty five dollars in silver, given in part paid for an undue negro; as I am determined not to pay said note unless compelled by law.

BRIGHT B. WEBSTER.

Lexington Feb 17 1825—7-3f

MR. JOSEPH I. WILSON,

SIR—TAKE NOTICE, That I shall attend at the office of Edward J. Wilson, in the town of Lexington, on Wednesday the 19th day of February next, to take the deposition of Joseph Freeland, Robert Wilson, and William Russell, to be read in evidence in a suit in Chancery, now pending in the Fayette Circuit Court, wherein I am plaintiff and you are defendant.

SARAH F. WILSON, by her Attorney EDWARD J. WILSON.

Jan. 15, 1825.—4f

## JUST ARRIVED

AND for sale, a set of deep blue CANTON DIN. ANG CHINA, well assorted, containing one hundred and seventy-two pieces, which will be sold very low.

—ALSO—A GENERAL

## Assortment of Garden seeds.

Raised by the Shakers; and a supply of best EARLY YORK and DRUM-HEAD CABBAGE SEED from the Eastward

SAMUEL FILINGTON.

Lex. Feb. 10, 1825—6-4f.

## Garden Seeds.

Of the last year's growth, For Sale by the Subscriber, also—

## Patent Polish Shoe Blacking,

Suitable for ladies' as well as gentlemen's shoes: is a preservative to the leather, and gives a beautiful polish, at 25 cents currency a single box, and 25 per cent deduction, wholesale. For the convenience of families, it will be sold at 50 cents per pound, without tin boxes. He has likewise for sale, cold pressed

Castor Oil, Paints, Oil, Putty, Varnish, &c. JOHN STICKNEY, near the Ky. Bank.

Lexington, Feb. 8.—6-4.

## SIGN OF THE

CROSS KEYS.

N. M. SIMPSON.

HAS remove from Jordans Row and Water Streets to the brick house formerly occupied by Wm WALLINGSFORD, where he intends keeping Dupey's best Old whiskey, by the Gallon and Barrel, also all kinds of Imported Liquors.

His Table shall be furnished with the best the market affords. His Stable shall be furnished with all kinds of provender. His Haggan Yard having been newly paved, renders it comfortable for Carriages and Haggans. N. B. All those having unsettled accounts with him are requested to come forward and settle; if neglected they will find their accounts in an officers hands.

Lex Feb 1st 1825—5-6f.

## Cash for Whiskey

WANTED, a quantity of good MERCHANTABLE WHISKEY, put up in good sound barrels, for which the cash will be paid on delivery. As a speedy purchase is wished, those who apply first, will of course have the preference.

Apply to

T. KANE.

Main street, Lexington

Feb. 17—7-2f



When it is the defect of a face to contain too much yellow, then yellow around the face removes it by contrast, and causes red and blue to predominate.

When it is the fault of a face to contain too much red then red around the face removes it by contrast & causes the yellow and blue to predominate.

When it is the fault of a face to contain too much blue, then blue around the face removes it by contrast, and causes the yellow and red to predominate.

When it is the fault of a face to contain too much yellow and red, then orange is to be used.

When it is the fault of a face to contain too much red and blue, then purple is to be used.

When it is the fault of a face to contain too much blue and yellow, then green is to be used.

The reason why dark faces are best affected by darker colours, is evidently because they tend to render the complexion fairer; and the reason why fair faces do not require dark colours, is because the opposition would be too strong—they are already sufficiently fair, and do not need to be blancheted.

It may be supposed, that a dark yellow would by contrast act best on a fair ruddy face having a yellow tint; but a little consideration will show, that while the yellow in dark yellow tends to overcome the yellow in the countenance, the black in the dark yellow tends oppositely not only to whiten the face, but to bring up the yellow by contrast, thus having a mixed and opposite effect.

All the white race are distinguished by a sanguine hue—the Negro has none.—Hence the compatibility of white, and the incompatibility of black, with the ruddy face, is indicated. Indeed, it cannot be otherwise: red may appear on white; it cannot on black. Black accordingly is never a suitable costume where there is red in the face; and the less so, the stronger the red.

On this subject there is a difference in the sexes. Black is less objectionable for a dark and ruddy, then for a fair and ruddy complexion in the male; but it is more objectionable for a dark and ruddy, then for a fair and ruddy complexion in the female.

We may now consider the texture of dress.

Fineness and thinness are of course generally preferable to their reverse.

Their roughness or smoothness admits of some observation. In general, fine surfaces which are somewhat rough form a good contrast with the smoothness of the skin, as in velvet, crape, lace, &c.

The opacity or transparency of materials also deserves consideration. With regard to the figure in general, an opaque dress is better suited to an en-bon-point figure; and a transparent dress to a thin one. With regard to the face in particular, transparency of the dress which comes in contact with it is in general preferable. Rough and transparent crape has a better effect upon it than smooth and opaque cambric.—Phil. Sat. Evening Post.

**Board of Trustees, Lexington, February 3, 1825.**

BE it ordained by the Board of Trustees of the town of Lexington: That any wagoner who shall feed his horses in any of the streets of the Town except below the Ware House on water-street, or so place their wagons as to obstruct the passage in any street, or shall back up their wagons to the market house so as to interfere with those persons who retail stalls at either of the market houses, except those persons who attend the markets or unless they have in their wagon some articles designed to be offered in the markets for sale, shall forfeit three dollars.

Passed the first reading.

JOSEPH TOWLER, Clk. b. t.

**Negroes For Sale.**

THERE will be sold at public Auction on the 28th day of this month being court day in Winchester, Clarke county Ky about twenty likely and valuable Negroes consisting of men, women and boys, the property of William V. Tallaferro of Virginia. The terms of the Sale will be for Gold, Silver, or United States or Virginia Bank notes to be paid in hand.

REUBEN T. TAYLOR, Attorney in fact for Wm V. TALLAFERRO.

Winchester, Feb. 10, 1825—6-3f.

**REMOVAL.**

THE Subscriber has removed his SMITH SHOP to the Corner of Upper Street, between the Episcopal and Methodist Churches, where he carries on the

**WHITE SMITH BUSINESS**

in its various branches, viz. Scale Beams and Steel-yards made and repaired. The Iron work for all sorts of Machinery, Hearth Irons almost always on hand for sale. Locks repaired &c. &c.

He tenders his thanks to his former friends, and assures them and the public that no pains shall be spared to make them well satisfied both in quality & price of the work done at his shop.

Horse Shoeing and other kinds of Blacksmith Work is done at his Shop at the customary prices.

THOMAS STUDDMAN.

N. B. Two or three hands will be taken to learn the trade.

Feb. 10, 1825.—6-1f.

**Book BINDING.**

ALEX. R. DRENNAN & SONS, RESPECTFULLY inform the public that they carry on the above business opposite the lower market house, Lexington. Any commands they may be favoured with, shall be punctually attended to.

N. B. At the same place

Silks & Cloths Dyed black, blue, and various colours.

Mens' Cloaks Scoured, and the Colour renewed.

Lexington, Feb. 10, 1825.—6-1f

**\$25 REWARD.**

RAN away from the Subscriber living near Nicholasville Kentucky, a negro man named NACE.

Aged about 23 years. He is a bright mulatto, straight hair, straight figure, white eyes, thick lips, about five feet 11 inches. He may probably change his name. It is not known what clothing he had on.

Any person securing said Negro in any jail so that I can get him, shall receive the above reward, if taken out of the state. If taken in the state \$15 will be paid and all reasonable charges.

JOHN SCOTT, Jessamine county Ky Feb. 10, 1825.—6-3f.

**CLOVER SEED.**

THE subscriber has for sale a quantity of Clover Seed at his residence on the road leading from Lexington to the Cross Plains, and near the Walnut Hill Meeting-House, which he will sell on moderate terms, for CASH.

JOHN HAY, February 17th 1825—7-3f.

**LAW NOTICE.**

JAMES SHANNON, Late of Wheeling, Va. WILL practice Law in the Circuit and County Court of Fayette, and the Circuit Courts of Bourbon and Jessamine. All business entrusted to him will receive prompt attention. His office is on Short Street. Lex Dec 20, 1824.—25-1f.

**Literary.**

THE undersigned Trustees notify the public that they have employed a competent teacher and opened a grammar school at Walnut Hill meeting house seven miles South East of Lexington, where will be taught the Latin and Greek languages and all those branches preparatory to entering college. Boarding may be had in respectable families in the neighbourhood on moderate terms (from 40 to 50 dollars in specie)

ROBERT STEWART, WALTER BULLOCK, JOHN TODD.

Fayette County Jan'y. 10 1825—2-1f

**CAUTION.**

THE public are hereby notified that any person or persons found taking or laying down any fence or fences or cutting down any timber on any of our plantations or woodparks, shall be dealt with according to Law; or any stock found trespassing on said premises (our tenants excepted) shall be taken up as estrays and dealt with as the Law directs.

JOSEPH H. BEARD, Sec. H. BEARD, JOS. M. BEARD, LAWRENCE DALY, FRANCIS McLEAIR, CHARLES McLEAIR, WILLIAM ROMAN.

January 27 1825—4-3f

**LEXINGTON BREWERY.**

THE subscriber informs the public, that he has employed Mr. BERNARD DONAHUE every way qualified for the business, to superintend the brewery, and that it is now in complete operation. He will furnish a few dollars worth of beer to the public at the lowest quality and at the usual prices.

Farmers are requested to bring in what merchantable BARLEY they have now on hand, for which he will give 75 cents per bushel in currency. And he will be ready to purchase any quantity of the same quality of the ensuing crop at that price.

He has a quantity of SEED which he will supply to them at the same price.

WALTER CONNELL.

Lex Jan 27 1825—4-1f.

**Botanic Garden.**

PROPOSALS will be received for the following Work

To grub and plough about 7 acres of ground. To pave about 60 square yards with flat stones. To lay about 100 cubic yards of a stone fence. To put up a Board fence 7 feet high, around part of the ground.

To cart Tan bark and other objects by the day or the load.

To procure and plant One Thousand young trees, Shrubs and Vines, from the woods.

Apply to the Superintendent C. S. Rafinesque by letters left at Capt. Pike's or Thomas Smith's.

N. B. The shareholders are notified to pay the instalments due on their shares to the Treasurer of the company.

Feb. 3 1825—5-1f.

**WHISKEY AND BACON WANTED.**

5000 GALLONS WHISKEY and 5000 LBS BACON to be delivered Lexington and Frankfort, apply at JOHN STEELE'S Hat Store. Lexington Jan 21 1825—4-3f

**To the Farmers of Kentucky.**

THE undersigned, late from the state of New York, respectfully informs those engaged in agriculture, that he has made an establishment in this town, for the purpose of manufacturing and vending Wood & Swan's Patent Cast Iron Ploughs.

OF THE LATEST IMPROVEMENT.

He in offering to the public, the CAST IRON PLOUGHS, is aware of the difficulties to be encountered, in consequence of the general prejudice against Patent Improvements introduced by persons from the north and eastern states: Which is mostly to be attributed to the unskillfulness of those vending and mechanics employed to put them into operation.

But, from the experience and knowledge he has had in the business, he flatters himself that PLOUGHS of his manufacture, when fully tested, will remove every prejudice against those made of Cast Iron. As the soil of Kentucky is much better adapted to their use than that of many of the northern states, where few of any other kind are used.

He with the fullest confidence, recommends his CAST IRON PLOUGHS to agriculturalists, knowing as he does from actual observation and experience, that they possess many superior advantages over those now in general use in this state—among which are

1st Ease of draft, strength and durability.

2d Requiring but few repairs, and those of little expense.

3d To raise and invert a furrow with the least possible power.

4th To be used with cast or wrought iron shares.

Farmers are invited to call and examine for themselves. Ploughs sold, if not approved of after ten days trial, may be returned, when the money will be refunded.

A constant supply of the following sizes, viz:

No. 1, is the one horse or corn plough.

No. 2, is the two horse do.

No. 3, is the three horse or more, do. for breaking sword land.

The subscriber, as agent for the patentees, is legally authorised and empowered to grant licences to any who may wish to enter into the business of making and vending the Cast Iron Plough.

Terms made known on application, and the Castings furnished on the lowest terms, or patterns supplied to cast from.

J. B. WILLIAMS.

Lexington, Ky February 10, 1825—6-3f.

**IRON FOUNDRY.**

HAVING rented the IRON FOUNDRY owned by the Messrs. Hewitts, in this town, for a term of time—we are prepared to fill all orders for

**CASTINGS,**

Made to pattern, of every description, on the shortest notice and most favorable terms.

They are also agents for WOOD & SWAN'S Patent Cast Iron ploughs.

SWAN & STARR

Maysville Ky Dec. 30 1825—6-3f.

**HEMP WANTED.**

THE highest price will be given for merchantable Hemp by J. M. PIKE, or Lockery and McDougal. Lex Sep. 23, 1824.—39-1f

**LAW NOTICE.**

DANL. McCARTHY PAYNE & W. FRAZER, HAVE united in the practice of the LAW in the Circuit and County Courts of Fayette County. One of the other will regularly attend the Courts of Jessamine, Woodford, Scott, Owen and Grant. Business confided to their management will be most promptly attended to. Their office is on Main-street, Lexington. Lexington, September 2, 1824.—35-1f

**To the Public.**

The partnership heretofore existing between the subscribers under the name and firm of CONNELL and McMAHON has been dissolved by mutual consent, and Walter Connell has become the sole proprietor of the Brewery heretofore owned by said firm. All persons indebted to said firm are requested to make payment to said Connell, as he alone is authorized to collect the debts. Those having claims against said firm are notified to call on said Connell in order to have the same adjusted.

WALTER CONNELL, JOHN McMAHON.

Oct 3 1824.—44-1f.

**DRAWING IN JANUARY.**

Grand Masonic Hall Lottery of KENTUCKY, SIXTH CLASS, NEW SERIES. HIGHEST PRIZE 2000 DOLLARS SPECIE.

BRILLIANT SCHEME.

Priz	of	\$2,000	is	\$2,000
1	"	1,000	is	1,000
2	"	500	is	500
32	"	100	is	3,200
32	"	25	is	1,600
64	"	10	is	640
128	"	5	is	646
2975	"	2	is	5,954

3267 Prizes amounting to \$16,302

Every Prize payable in SPECIE at PIKE'S OFFICE the moment they are drawn

Whole Tickets \$2 50, Specie or its equivalent—Shares in proportion.—After 1st Drawing they advance to \$5—after 2d to \$3.50.

J. M. PIKE, Manager.

Office Main street near the Court House, Lex. Ky. Where prizes amounting to above ONE HUNDRED AND FIFTY THOUSAND DOLLARS.

Have been sold and promptly paid within the last two years.—TICKETS in all the EASTERN LOTTERIES constantly for sale at the Eastern prices, and prizes paid at the above FORTUNATE OFFICE

**FOR SALE.**

A Valuable ESTATE in Land and Negroes.

THE tract of land on which I reside in the county of Jessamine, containing eight hundred and sixty-three acres principally inclosed and not surpassed by any in Kentucky, in soil. There are about three hundred and fifty acres of the tract in cultivation, the balance finely timbered. Its situation admits of a handsome division either into two or three tenements and would be sold in divisions to accommodate purchasers. It is admirably calculated for a stock farm, or any other agricultural pursuit.

AN excellent site for a DISTILLERY, supplied by a never failing stream upon which one has been conducted for many years.

I would also sell 25 likely young negroes, ten of whom are men and 15 are accustomed to, and capable of performing farming business. Four of the boys have been during the last year engaged in a bagging factory. The residue of the negroes are likely women, girls, and children. The purchaser may also obtain with the premises a valuable stock of

Brood Mares & Colts Cattle, sheep & hogs, a distillery with its apparatus capable of making a barrel of Whiskey per day together with the present crop of about 150 acres of corn, with rye, oats, and hay, also the farming utensils. But little is hazarded in the assertion that a more valuable real estate, slaves, and personal property has but seldom been offered for sale in this country. The whole would be exchanged for United States stock or sold at its reasonable value upon terms of mutual advantage.

S. H. WOODSON.

Jessamine county, Sept 9, 1824 37-1f.

**Washington Hall.**

THOMAS Q. ROBERTS.

CONTINUES to superintend A HOUSE OF ENTER-TAINMENT in the town of HARRODSBURGH, Ky. His friends and the public are informed, that he is permanently settled, and has no idea of removing.—He has lately added to the number and conveniences of his rooms, has a large Pasture Lot, and is well prepared to accommodate any number of persons who may visit this place.

Harrodsburg, June 3, 1824—24-12m.

**LEXINGTON BRASS IRON AND BELL, FOUNDRY.**

CONTINUES to carry on the FOUNDRY BUSINESS in the town of Lexington, second door below the Theatre, Water-street, where all kinds of Brass and Iron Work for Machinery, &c. may be had on the shortest notice. Also, will be kept on hand BELLS for Taverns, Houses, Cows; refined Wagon, Carriage, and Gig BONES; Hatters', Tailors' and FLAT IRONS; Scale Weights and Wagon Irons; Gun Mountings and Clock Castings; Rivets and Stiff Cocks, with many other articles too tedious to mention.

May 16, 1822—5-1f

**LAW NOTICE.**

ROBERT J. BRECKINRIDGE Attorney and Counsellor at Law, WILL ATTEND THE PARTIE CIRCUIT COURTS Lexington, April 6, 1824—Y15-1f.

**MOROCCO MANUFACTORY.**

THE Subscriber respectfully informs the public that he has commenced the above business in Lexington on Main Street; and from a long experience in one of the principal cities in Europe, and the United States also, he flatters himself he will produce articles in his line equal to any in the Union suitable for Shoe Makers, Hatters', Coach Makers, Saddlers and Book Binders which he will sell twenty per cent less than imported skins.

This he hopes will induce the consumers in the Western Country to give a preference to their own manufacture

N. B. A constant supply of hatters' WOOL on hand.

PATRICK GEOHEGAN.

January 13th, 1825—2-1f

**DR. WALTER WARFIELD.**

HAS RETURNED TO LEXINGTON, and resumed the practice of MEDICINE in connection with his son Dr. G. H. WARFIELD. Their Shop is kept at the upper corner of Jordan Row, opposite the Court-house Lexington, Aug. 12th, 1824—1f

**New Invention.**

AMONG the numerous kinds of useful inventions that have recently appeared before the public, the subscriber would introduce that of making SPIRITUOUS LIQUORS, on an improved plan, both as it regards fuel and labour. So much so, that I will warrant a saving of one half of the fuel, and one third of the labour which is consumed in the old ways of distilling. Stills made in this way do not burn the spirits, and can be made to any size, to make from one to six barrels of whiskey in a day.

Persons feeling disposed to purchase rights for individuals, or for a county, of the above invention, will please call at the Union Mills, Jessamine county where they can see stills on that plan in successful operation, making upwards of ONE HUNDRED GALLONS a day. Should they wish to purchase rights, Mr. David Crozier at the Union Mills is authorized to sell them. The following certificates from gentlemen who have erected the stills and tried the plan, are offered to the public.

DAVID CUTLER, Inventor and patentee.

January 20, 1825—3-1f.

Having purchased the patent right of Mr. David Cutler, on a new plan of distillation, and having had a fair trial on the subject, I have no hesitation in stating it has far exceeded my expectation both in saving fuel and labor: I state farther it exceeds anything I have ever seen: Given under my hand this 8th day of January 1825: A. YOUNG.

DEAR SIR:

After having a fair trial of your improved plan of distilling, I feel it my duty to state to the public that it far exceeds any thing of the kind I know of as it respects fuel, labour, and convenience. The product of the grain appears to be better, and the spirit purer, than that made in the ordinary mode: Given under my hand this 17th day of January 1825: Nicholasville: JOSEPH H. CHRISMAN.

MR. DAVID CUTLER:

Having fully tested by experiment an improved plan of Distillery by Steam Invented by Mr. D. Cutler, I hesitate not to say, that it is far superior in point of economy both of Labour and Fuel to any plan I have ever seen, and believe the Spirit made in this way is equal to any now made in this state.

D. CROZER, Union Mills Jessamine County Ky Jan 10th 1825.

**\$50 REWARD.**

I Will give the above reward in notes of the Commonwealth's Bank, for the apprehension and conviction of the person, who broke into my store-room in the town of Versailles, on the night of the thirteenth inst and took out of my money drawer about two hundred dollars, principally in tickets issued by the subscriber, the greater portion of which were seventy-five and sixty-two-and-a-half cents notes. Persons holding tickets for the above sums are requested to bring them in and exchange them for other tickets, or to receive the commonwealth's notes for them. The public are desired to observe particularly of whom they receive tickets of the above denomination issued by DANIEL PRICE

Versailles Ky Jan 20 1825—3-1f

**FOR SALE 145 ACRES OF FIRST RATE LAND.**

One mile and a half from Lexington on the Frankfort road, nearly one half is timbered land, the balance is in a good state of cultivation: a frame house and Orchard, and one of the best springs in Fayette county, and an indisputable title. The above land being the property of William L. McConnell dec'd, and is now offered for sale low for CASH by the heirs of said dec'd. For further particulars enquire of the subscriber in Lexington, and the terms will be made known by him and the land shown, &c.

GEORGE ROBINSON.

Lex. April 1, 1824—14-1f.

**WHISKEY**

WHISKEY of a SUPERIOR QUALITY for sale by the BARREL

DAVID MEGOWAN.

upper end of the market house. LEXINGTON MAY 16th. 1824—20-1f.

**Clock and Watch making.**

THE Subscriber tenders his services in the line of his profession, to the citizens of Lexington and its vicinity, and informs them that, in connection with Mr. P. Bain's Hat-Store, near the Post-Office, he will repair every description of gold and silver Watches. Having had six year's experience in one of the first Shops in Philadelphia, he hopes by his assiduous attention to business, and the faithful execution of the work entrusted to him, to merit a portion of public patronage.

E. WILLIAMS.

May 6, 1824—19-1f.

**FOR SALE A SMALL FARM OF 30 ACRES**

In the immediate neighbourhood LEXINGTON.

THERE are on it, comfortable buildings for two families if necessary—good water—meadows & orchards,—under good fence—and sufficiency of wood land. Terms can be made very favourable.

Apply to CHARLES WILKINS, or Col. JAMES TROTTER

Lex. Aug. 27th 1824—37-1f